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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,126	10/25/2001	Kai Tuschner	04899-065001	1888
959	7590	10/18/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			HONEYCUTT, KRISTINA B	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/057,126

Applicant(s)

TUSCHNER ET AL.

Examiner

Kristina B. Honeycutt

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to the interview conducted on July 11, 2005.

**This action is made Non-Final.**

2. In the amendment, claims 1-30 are pending in this case. Claims 1, 10, 19, 23 and 27 are independent claims.

3. The rejections of claims 1-30 as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) have been withdrawn as necessitated by the amendment.

### ***Drawings***

4. The objection to the drawings as failing to include the reference sign "10" mentioned in the description on p.7, line 2 has been withdrawn as necessitated by the amendment.

5. The drawings filed on May 23, 2005 are accepted by the examiner.

### ***Specification***

6. The objection to Claim 11 as ending with a "," instead of a "." has been withdrawn as necessitated by the amendment.

***Claim Rejections - 35 USC § 112***

7. The rejection of Claim 11 as lacking antecedent basis for the limitation "the selection" has been withdrawn as necessitated by the amendment.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5, 9-14, 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrell et al. (U.S. Patent 6269475; date of patent July 31, 2001; filed June 2, 1998) in view of Binnig et al. (U.S. Patent 6792418; date of patent September 14, 2004; filed March 29, 2000).

**Regarding independent claim 1**, Farrell discloses generating source code corresponding to a block diagram model (col. 5, lines 16-17, 50-55; col. 6, lines 24-26)

since Farrell teaches source code comprising codeblocks and forming codeblocks corresponding to an object model.

Farrell further discloses generating links associating elements of the generated source code with elements of the block diagram model (col. 5, lines 50-55) since Farrell teaches source code pointing to an object model. Farrell does not disclose hypertext links. Binnig teaches hypertext links as pointers (col. 3, lines 66-67; col. 4, lines 1-5). It would have been obvious to one of ordinary skill in the art, having the teachings of Farrell and Binnig before him at the time the invention was made, to modify a pointer between code and a model as taught by Farrell to include hypertext links as taught by Binnig, because Farrell teaches pointers between code and a model (col. 5, lines 50-55) and Binnig teaches hypertext links used as pointers for linking between entities (col. 3, lines 66-67; col. 4, lines 1-5).

**Regarding dependent claim 2,** Farrell discloses displaying the source code and pointers on a display and displaying to the user at least a portion of the block diagram model including an element of the model associated with the pointer (Fig. 5, 17; col. 7, lines 30-49; col. 10, lines 7-14) but does not disclose displaying hypertext links. Binnig teaches displaying pointers and hypertext links as pointers (col. 3, lines 66-67; col. 4, lines 1-5; col. 11, lines 33-52). It would have been obvious to one of ordinary skill in the art, having the teachings of Farrell and Binnig before him at the time the invention was made, to modify displaying source code and pointers as taught by Farrell to include displaying hypertext links as taught by Binnig, because displaying hypertext links, as

taught by Binnig (col. 3, lines 66-67; col. 4, lines 1-5; col. 11, lines 33-52) would allow a user to view the links, along with the code, for making selections.

Farrell further discloses receiving input from a user representing a selection of a pointer in the source code (Fig. 5; col. 7, lines 30-49) but does not disclose selecting one of the hypertext links. Binnig teaches selecting hypertext links that act as pointers (col. 3, lines 66-67; col. 4, lines 1-5; col. 11, lines 33-52). It would have been obvious to one of ordinary skill in the art, having the teachings of Farrell and Binnig before him at the time the invention was made, to modify selecting a pointer as taught by Farrell to include selecting hypertext links as taught by Binnig, because Farrell teaches selecting pointers (Fig. 5; col. 7, lines 30-49) and Binnig teaches selecting hypertext links used as pointers for linking between entities (col. 3, lines 66-67; col. 4, lines 1-5; col. 11, lines 33-52).

**Regarding dependent claim 3,** Farrell discloses displaying the associated element in a highlighted fashion (Fig. 17; col. 10, lines 7-14) since Farrell teaches displaying highlighted elements.

**Regarding dependent claim 4,** Farrell discloses at least one of the associated elements in the generated source code is a commented reference to a block in the block diagram model (Fig. 17) since Farrell teaches commented references in the source code.

**Regarding dependent claim 5**, Farrell discloses at least one of the associated elements in the generated source code is a variable reference in an operative code section (Fig. 6, 7; col. 7, lines 50-67; col. 8, lines 1-5) since Farrell teaches variable references in the source code in operative sections, such as the OtherClass variable.

**Regarding dependent claim 9**, Farrell discloses the commented reference to a block comprises a character string identifying a path to a file providing information relating to a section of the block (Fig. 17) since Farrell teaches paths to files and classes in the source code.

**Regarding independent claims 10, 19 and 23**, the claims reflect the system, computer program and processor and memory for performing the operations of claim 1 and are rejected along the same rationale.

**Regarding dependent claims 11, 12, 13, 14 and 18**, the claims reflect the system for performing the operations of claims 2, 3, 4, 5, and 9 respectively and are rejected along the same rationale.

**Regarding dependent claims 20, 21 and 22**, Farrell discloses the computer readable medium is RAM, ROM or hard disk drive (Fig. 20; col. 11, lines 4-8, 30-36).

**Regarding dependent claims 24, 25 and 26,** Farrell discloses the processor and memory are incorporated into a personal computer, a network server residing in the Internet or a single board computer (Fig. 20; col. 10, lines 57-63; col. 11, lines 50-56).

**Regarding independent claim 27,** Farrell discloses providing source code identifying an element of a graphical model (col. 5, lines 16-17, 50-55; col. 6, lines 24-26) since Farrell teaches source code comprising codeblocks and forming codeblocks corresponding to elements of an object model.

Farrell further discloses generating a document comprising information about the source code (col. 5, lines 32-36) since Farrell teaches generating an executable code file that contains information about the source code.

Farrell further discloses providing pointers referencing elements of the graphical model (col. 5, lines 50-55) since Farrell teaches source code pointing to an object model. Farrell does not disclose hypertext links. Binnig teaches hypertext links as pointers (col. 3, lines 66-67; col. 4, lines 1-5). It would have been obvious to one of ordinary skill in the art, having the teachings of Farrell and Binnig before him at the time the invention was made, to modify a pointer between code and a model as taught by Farrell to include hypertext links as taught by Binnig, because Farrell teaches pointers between code and a model (col. 5, lines 50-55) and Binnig teaches hypertext links used as pointers for linking between entities (col. 3, lines 66-67; col. 4, lines 1-5).

**Regarding dependent claims 28 and 29,** the claims reflect the method for performing the operations of claims 2, 4 and 9 and are rejected along the same rationale.



9. Claims 6-8, 15-17 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrell in view of Binnig in further view of Yang (U.S. Pub. No. 20020055891; publication date May 9, 2002; filed August 13, 2001).

**Regarding dependent claims 6, 7 and 8**, Farrell does not disclose the hypertext link is Standard Generalized Markup Language (SGML), Hypertext Markup Language (HTML) or Extensible Markup Language (XML). Yang teaches SGML, HTML and XML including hypertext links (p.8, para. 128). It would have been obvious to one of ordinary skill in the art, having the teachings of Farrell and Yang before him at the time the invention was made, to modify links taught by Farrell to SGML, HTML and XML as taught by Yang, because SGML, HTML and XML are constructed in a form including links, as taught by Yang (p.8, para. 128).

**Regarding dependent claims 15, 16, 17 and 30**, the claims reflect the system and method for performing the operations of claims 6, 7 and 8 and are rejected along the same rationale.

### ***Response to Arguments***

10. Applicant's arguments filed May 23, 2005, with respect to the rejections of claims 1-30 as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Farrell et al. (U.S. Patent 6269475) in view of Binnig et al. (U.S. Patent 6792418).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Partitioning for model-based design (U.S. Pub. No. 20020016206),
- Specifying and targeting portions of a graphical program for real-time response (U.S. Pub. No. 20030195732),
- Generating code for data references (U.S. Pub. No. 20020188928),
- Graphical system for modeling a process and associated method (U.S. Patent 4901221),
- Optimized look-up table calculations in block diagram software (U.S. Pub. No. 20030018953),
- System and method for manipulation of software (U.S. Pub. No. 20040031015),
- Software composition using graph types, graph and agents (U.S. Pub. No. 20030069908),
- High level assembler metamodel (U.S. Pub. No. 20020078010),
- Optimized look-up table calculations in block diagram software (U.S. Pub. No. 20030018953).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8:00 am - 5:00 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KBH

  
**CESAR PAULA**  
**PRIMARY EXAMINER**